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Religion, Human Rights, and Global Culture: A Dozen Years Later*

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A dozen years ago, I spent some time exploring the intellectual underpinnings of the human rights movement.¹ Like others, I had noticed some points of conflict between the claims made by human rights advocates—among whom I count myself—and the actual documents that enumerated the rights we were claiming. For example: the 1948 U.N. Universal Declaration of Human Rights nowhere justifies the rights and freedoms that it proclaims. Instead, it presents itself as promoting “a common understanding” of rights that are already recognized, and whose violation leads to “barbarous acts which have outraged the conscience of mankind”.²

In fact, the Declaration’s list of rights was not generally accepted—in practice. Not only had these rights been routinely violated by the recently defeated Nazi regime; they were also being violated daily in the signatory countries. Stalin’s terror is well-known, as is the U.S. treatment of African-Americans, but nearly every U.N. country had similarly abridged one or another of the Declaration’s 30 Articles.

The Declaration contained two classes of rights, each supported by one of the era’s major political blocs.³ So-called “First Generation Rights”—the rights to life, liberty, and security of person; to recognition as a person before the law; to legal equality, freedom of thought and expression, and so on—these rights protect individuals, typically from overbearing governments. They were honored in the West, though not always practiced there. The Soviet Bloc emphasized so-called “Second Generation Rights”—the rights to a secure social life, to a just wage, to form unions, to education, and to special care in the event of sickness, disability, old

¹ Spickard (1998, 1999a, 1999b).

² All quotes are from the official English text of the Declaration.

³ See Vasak (1977).

age, or other lack of livelihood. They, too, did not always practice these rights, but they affirmed them. The 1948 Declaration contained both because that was the only way to forge an agreement—albeit a paper one. In forty years until the collapse of the Soviet Union, the East mocked the West's hypocrisy while the West disaffirmed the East's ideals.

Universal Declaration combines these two kinds of rights not out of principle, but of pragmatism. Accounts of the negotiations that produced the draft show that working from principles would have not produced an adoptable document in the time available. Three members of the drafting committee—Drs René Cassin, Peng-Chun Chang, and Charles Malik—came from such diverse intellectual backgrounds that the remaining two committee members—U.N. Human Rights Division head John Humphrey and Committee Chair Eleanor Roosevelt—decided to remove principles altogether. If a French legal theorist, a Chinese Confucian scholar, and a Lebanese Thomistic Christian, all of whom were ardent human rights supporters, could not agree on fundamentals, how much harder would it be to produce a text that would get past both the Kremlin and the U.S. State Department?

Thus human beings became "born free and equal" rather than being "created"; individuals were not listed as "citizens of the world" with inherent rights clearly superior to those of their states; rights were grounded neither in "God" nor in "nature", and so on. Political pragmatism ruled. The result was a positivist document, in the legal sense. Legal positivism says that laws are justified because they are recognized as such. In the modern world, this means that they must be approved by proper procedures: adopted by legislatures, affirmed by judges, signed by sovereign governments. True, some states have constitutions, which are supposed to act like first-principles. But as we joke in the United States, something is "constitutional" if it is supported by a 5-to-4 majority in our Supreme Court; what counts as "constitutional" frequently changes. For legal positivists, rights are created and denied by political processes, even under supposedly constitutional regimes.

This was precisely what the Universal Declaration was designed to prevent. Prior to its fall, Weimar Germany had had one of the world's most advanced human rights regimes. It was, however, based in positive law. Once the Nazis took power, judges resisted their rulings until the state used proper procedures to change the laws. Then, the judges enforced the new laws as firmly as they had enforced the old. The Universal Declaration was intended to make human rights so firm that they could never again be abridged. It is a great irony that this was possibly only through positivist means.

I do not have time here to go into the various possible legitimations for international human rights law. Besides positive and natural law, there are two blended types, each of which encompasses positive law's emphasis on agreement while providing an authority beyond that agreement, to which the parties to the agreement may be held. One approach is based in the work of Hugo Grotius, who is usually seen as a natural law thinker; the other is based in the work of Hans Kelsen, who was equally prominent in positive law circles. I similarly do not have time to elaborate the various human rights treaties that have been developed over the last sixty years. These include the two 1966 Covenants: On Civil and Political Rights, and On Economic, Social, and Cultural Rights; the 1948 Convention Against Genocide; The Geneva Conventions (1949); the Convention Against Torture (1984); the Convention on Elimination of Discrimination Against Women (1979); and the Convention of the Rights of the Child (1989).

Human rights activists portray these treaties as the culmination of a centuries-long struggle for the protection of individuals against tyranny. This history is clearly Whiggish: that is, it presents the past as an inevitable progression towards ever-greater liberty and enlightenment, culminating in modern forms of liberal democracy. The Human Rights Reader, for example, begins its historical survey with the English Magna Carta (1215), following with the English Bill of Rights (1689), the U.S. Declaration of Independence (1776) and Constitution (1789), Federalist Paper #84 (1788), the U.S. Bill of Rights and other constitutional amendments (1791

& following), and the French Declaration of the Rights of Man and Citizen (1789).⁴ Various 19th-century treaties on conduct in war point toward the Universal Declaration and the recent treaties I've mentioned. Such histories—and there are several—present human rights as existing eternally, yet coming to gradual practical fulfillment in a world that become progressively enlightened.⁵

Why do I recite these matters? Because this vision is religious! Like religions, human rights ideals are embodied in sacred texts, which are revered but seldom examined closely. They are enshrined in histories, which are more useful for orienting their followers than in accurately portraying their development. Both texts and histories are honored for their presumed meaning, not for their logic. The contemporary human rights movement, built around these texts and histories, is thus ripe for religious analysis.

Sacred Texts and Sacred Histories

The sociology of religion has a lot to say about sacred texts and histories, but three matters seem to me to be the most important. They are relatively obvious, so I shall not elaborate any of them, but they are all worth mentioning.

First, all sacred texts and histories serve to create a meaningful universe, within which people can orient themselves to life. Texts are foundations: the starting points that tell people who they are, where they have come from, and how life should be. Histories recount their journey from the past to present, telling them how they have risen, fallen, or transcended their origins. Together, they give their lives source and direction. The most powerful of them also provide models for living and tell them why the world is the way they find it. Every religion has its origin myths and its lives of the saints. We humans are notoriously fond of telling and listening to such stories, then using them to justify—and sometimes critique—our world.

⁴ Laqueur and Rubin (1979)

⁵ Besides Laqueur and Rubin (1979); see Hunt (2008); Ishay (2008).

The sociological question is: What kinds of meaning gets produced by the basic human rights texts and by the Whiggish history that connects them? The answer, I think, is that the human rights movement is a direct heir to the Enlightenment vision that Reason and Equality produce the best of all possible worlds. Texts and histories tell us that we (the human rights community) are the good people, who treat others with deference and respect, who look out for the weak and the downtrodden, and whose struggle has changed the world. By affirming the sanctity and the universality of rights, we define ourselves as holding lofty ideals. By writing a history of ever-increasing success, we affirm that the Universe is on our side.

This is a secular religious vision, if you will allow the term. It stands in the long line of Western humanisms, especially those having faith in human progress. In some ways, it is akin to America's own civil religion, though I shall merely state this, not pursue it; doing so would take us too far from our present goal.⁶

The second task of sacred texts and histories: to separate "our" community—the good people—from others. All religious communities do this, no matter how broad-minded they imagine themselves. Even Unitarians and New Agers see themselves as "the people who affirm multiple ways of knowing God", distancing themselves from those who don't. Years ago, anthropologist Edmund Leach wrote a clever analysis of the Book of Genesis, focusing on what we in English call "the Begats". In it, he shows how the genealogies of Noah, Shem, Tereh, Ismail, and so on distinguish the descendants of Israel from surrounding tribes.⁷ Not that the children of Israel are without fault; far from it. Yet the stories tell us that their fault is always less than the faults of other lineages. Human rights histories are less subtle, being populated by white-hatted heroes and black-hatted villains, but they still serve to rally the forces of good against the forces of evil. (Those of you who receive daily e-mails from even the mainstream human rights organizations know what I mean.)

⁶ Bellah (1967).

⁷ Leach (1969).

The third point is again related: sacred texts and histories provide moral grounds for action, particularly for difficult action in trying times. They do this by lowering ambiguities, drawing clear lines, saying what is and what is not acceptable. This is why the texts present themselves as grounded in Nature and Reason, and why the stories present human rights as progressively unfolding. Neither is true, but saying they are makes moral action easier to enlist.

It also produces interesting cross-national conflicts, such as America's accusation that neither Germany nor France support religious freedom—in the one case because the Germans do not recognize Scientology as a religion, and in the other because the French relegate religion to the private sphere. (I could say more on these matters, but I lack the space to do so here.)

Mirroring the Social Order

A second argument for analyzing the human rights movement in religious terms follows Émile Durkheim, in claiming that religions symbolically mirror the social order. This is a more adventurous task. It involves showing how human rights ideals both model our contemporary globalized social order and provide a moral template that sustains it. I do not claim that the contemporary regard for these rights is merely a misplaced worship of society, as Durkheim sometimes seems to argue in The Elementary Forms.⁸ Yet, the structural parallels are intriguing, for they reveal aspects both of rights and of social life that deserve attention.

For ease of argument, I hope we can agree that the contemporary world is typified by highly differentiated institutions and by an extremely complex and worldwide division of labor. Especially in the developed world, though to an increasing degree everywhere else, people go to businesses for goods, to schools for education, to doctors and hospitals for medical care, to churches, synagogues, mosques, temples, etc for religion, to governments for political power, and so on. This happens not just within countries, but between them: the European Union has the most highly developed supra-national agencies, but other regions and trading blocs have

⁸ Durkheim (1915).

made tentative moves in this direction. The growing importance of the World Trade Organization, the World Bank, and the International Monetary Fund—and the protests against them—testify to the degree to which governments' power over the economy is being ceded to supra-national specialty organizations.

So much for the institutional level. On the personal level, the division of labor means not only that individuals have different jobs, but also that they apply to those jobs widely different skills. Contrary to Marx's prediction of the progressive absorption of skilled workers into an unskilled proletariat, the developed world (at least) has seen a growth of job skill rather than a decline. In the United States between 1959 and 1997, for example, less-skilled jobs dropped from over 45% to 35% of all jobs, while highly skilled jobs rose from 17% to 30%. In the same period, real average earnings for elite workers increased by 30% while less-skilled workers earnings hardly rose at all.⁹ This trend persisted in the following decade, and it is expected to continue.¹⁰ True, many unskilled jobs moved offshore, to "export platforms" in such countries as Mexico, the Philippines, Malaysia, and China.¹¹ Yet there, too, they increase occupational differentiation, providing more and different job opportunities, albeit at a minimum (and often exploitative) economic level.

Two aspects of this shift demand attention. First, individuals must become specialized, for they do different kinds of work than in previous economic eras. The world's workforce has never consisted of interchangeable parts, but the contemporary workforce is unique in what it asks of people. In the jargon of American labor sociologists, workers must become "dynamically flexible"—as opposed to their "statically flexible" predecessors.¹² Dynamic flexibility allows workers to switch jobs, companies, retraining as they go, shaping their special skills to a shifting economic order. Computer programmers, systems engineers, organizational

⁹ Carneville and Rose (1998).

¹⁰ Hecker (2005).

¹¹ Gray (1986).

¹² Rubin (1995). For a darker picture, see Sennett (2000).

consultants, and entrepreneurs are never out of work, because their skills are in high demand.

This is the "flat world" that Thomas Friedman celebrates and that Richard Sennett distains.¹³

Second, the late-modern division of labor is historically unprecedented in its geographic breadth. Simply put, people now depend for their livelihood on those that they have never met and will never meet. The world-wide reach of the garment industry is a good example. A computerized mill in the United States spins cotton from El Salvador, Peru, and Kazakhstan and polyester from Venezuela and Angola into thread; that thread is machine-woven into cloth, which is dyed in Haiti or the Dominican Republic, cut for sewing in China or the Philippines, made into clothes in Vietnam or the Maldives, then shipped in containers to the U.S. and Europe, where it is sold. Clothes that don't sell are shipped to Colombia to become rags, which are transshipped worldwide.¹⁴

What is true in manufacturing is also true in the world of finance, as the various crises of the last two decades have shown. The proverbial butterfly flapping its wings in the office of a Singapore currency trader can, with only slight hyperbole, derail the London stock market.¹⁵ Is it not fair to say that the world is integrated on a scale never seen before?

Roland Robertson reminds us that this global social and economic integration occurs without a corresponding cultural integration, as people with disparate values and views mingle on a scale not seen since the late Roman Empire.¹⁶ They share a social structure but they do not share a culture, nor do they share common values. Salman Rushdie once noted that, in today's world, "the Ayatollah Khomeini lives downstairs": by this he meant that we live beside, and even depend on, those with whom we have few ideas in common. I shall use the term "globalization" as a shorthand for this situation, and note that it is in a globalized world that human rights have come to achieve their present ideological and moral force.

¹³ Friedman (2006); Sennett (2007).

¹⁴ Bonacich and Appelbaum (2000); Snyder (2009); Rivoli (2009).

¹⁵ Leeson and Whitley (1996).

¹⁶ Robertson (1992).

I start with first-generation human rights—the civil and political rights that protect individuals. It strikes me as significant that individuals are one of the structural bases of the emerging globalized social order. As Durkheim noted in The Division of Labor¹⁷, modernity depends on individuation: the social process by which individuals distinguish themselves from one another by occupation, education, skills, and a host of other attributes. Without it, our complex economy would not function. No longer just a mass society, our social cogs are neither interchangeable nor static; instead, the global system depends on individuals able to make and remake themselves as inclination and opportunity dictate. Several social theorists have noted that contemporary individuals cobble themselves a life from existing social and cultural resources—a personal *bricolage* unusual, though not absent, in times past.¹⁸ Some sociologists of religion have shown how traditional and new religions have become such cultural resources¹⁹; others have highlighted religious individualization as the—or at least a—dominant contemporary trend.²⁰

Is it not appropriate, then, that first-generation human rights sacralize individuals? As sacred symbols, first-generation human rights mirror the individualism on which our social order is based. To honor them is to honor the basic units of our globalized world, without whose personal individuation that world is impossible. First-generation human rights provide the ideological underpinning for socially necessary valuing of individual people.

Second-generation rights symbolize a different part of our contemporary situation. In focusing on the social connections that people have with one another, these rights sacralize the economic and social ties that connect people across the globe. Late-modern social networks have a truly global reach. How better to symbolize this than to uphold the right of individuals to universal social support, along with the interlocking duties to others that such networks entail?

¹⁷ Durkheim (1893).

¹⁸ E.g.: Giddens (1991).

¹⁹ Hervieu-Léger (2000); Beckford (1989).

²⁰ Luckmann (1967); Roof (1993).

It is no accident that the communist world supported second-generation rights and the West supported first-generation ones. For all its dictatorship, communism held aloft the ideal of an interconnected human community in which each person is connected to and takes responsibility for every other. And for all their anti-communist rhetoric, capitalists have constructed a world that connects persons worldwide, though without the economic and social equality—and the mutual responsibility—that had been intended. The recent Chinese insistence on "Asian values" in human rights discourse may not so much support dictatorship as remind us that half of the Universal Declaration supports human solidarity, not just individual rights. It also reminds us that these two generations of rights do not spring from the same source.²¹ If first-generation human rights offer an ideology that supports individualism, second-generation rights provide the ideological underpinning for the social connectedness without which a global society is not possible.

Thus, first- and second-generation human rights symbolize two pillars of our globalized social order: its reliance both on individuals and on their interconnections. As a compressed symbol, the idea of "human rights" thus stands for that order and portrays its sacredness. Durkheim would have had no trouble understanding the reverence in which such symbols are held.

Third-Generation Rights

This raises a problem, which my incomplete portrait of contemporary human rights discourse obscures. I have described first-generation and second-generation human rights—the two types of rights found in the 1948 Universal Declaration. I have not yet told you that there is a third generation of rights, which accrue not individuals but to groups. These are so-called "cultural rights"—those right that support indigenous (and other) groups' claims to land, to

²¹ De Bary (1998).

cultural practices, to the use of their own languages, and even to quasi-sovereignty.²² Just as the land demands of Brazilian and Canadian indigenous peoples depend on notions of group rights, so do the pro-French language laws of Quebec and the former Latvian denial of full citizenship to ethnic Russians. In each case, groups assert their rights against other groups and individuals, as well as against the state.

These three generations of rights seem often to be in conflict. How, for example, can English-speaking Quebecois exercise their rights to free speech if they are banned from using their own language because of French-speakers' group rights to maintain their French linguistic heritage? Does the dominance of one or the other language disadvantage French- or English-speakers socially, economically, or educationally? If so, does this constitute a violation of their individual rights? Or does it constitute a fulfillment of a cultural group's rights to political, social, and economic dominance in its own territory? The complexities will be compounded if Quebec ever secedes from Canada, as some French-speaking Quebecois hope. Will the First (or indigenous) Peoples who inhabit the northern two-thirds of the province themselves secede? And will the French-speakers let them? Settling such rights conflicts is not a task for the faint of heart.²³

Third-generation rights have not made their way into treaties, in part because of their threat to state sovereignty, which is still the basis of the international system. They have, however, found their way into what legal scholars call "soft law", through such statements as 1992 Rio Declaration on Environment and Development.²⁴

Some years ago, I struggled to understand the role that third-generation rights played in a Durkheimian symbolization of global society.²⁵ Clearly, they do not symbolize the core structural trends toward individuality and interconnectedness that are so typical of the late-

²² Baker (1994); Symonides (1998).

²³ See Taylor (1993).

²⁴ Hillgenberg (1999); Boyle (1999).

²⁵ Spickard (2002).

modern social order. In this context, so-called 'group rights' seem counter-intuitive.

Emphasizing groups seems to belittle both individuals and globe-spanning connections. It seems to elevate the local over the global. Are group rights really a protest against the social implications of globalization? Are they counter-cyclic efforts to return to an imagined past, in which people were imbedded in their local communities and those communities gave their members a secure sense of identity? Are they like the religious fundamentalisms that many accuse of similarly imagining a return to past security?²⁶ Or is something else going on? As I put it then,

Structural globalization makes cultural localism possible precisely because it makes economic localism irrelevant. ... Group membership (and the rhetoric of group membership) arguably serves as a counterweight to a feared massification and isolation, while not actually decreasing global integration. Localistic ideologies can thus fill globalization's cultural void.²⁷

I no longer think this is true. To explain why, I must take a short detour through another aspect of our contemporary world—the recent rise of ethnic nationalism.

*Ethnic Conflict and the Culture of 'Group Rights'*²⁸

It is no secret that ethnic nationalism has played an increasing role in world affairs over the last few decades. Sociologists once thought that it would vanish, just as they thought that religion was a dying holdover from humanity's more primitive past. Both views were mistaken.

Religious resurgence is one of the world's foremost storylines; one would need to have spent the last twenty years in a cave to fail to see the increased level of ethnic conflict. I shall presume that you know enough about this conflict—in the former Yugoslavia, Chechnya, Rwanda, northern Spain, etc.—that I need not provide details.

²⁶ Clearly, there is no single 'fundamentalism' in the modern world (Cohen, 1990; Marty and Appleby, 1991; Antoun 2001). I use this term as a shorthand for religions that imagine themselves adhering militantly to tradition in the face of perceived secular hostility.

²⁷ Spickard (2002:233).

²⁸ I presented some of the material in this section in Spickard (2007); I have revised that material for this venue.

Much has been written about such ethnic conflicts; what is less-often noticed is that ethnic conflicts seem to fall into three types. The most peaceful of these conflicts—not to say the most tractable—conflicts take place within countries that stand at the core of the global economy.²⁹ Belgium's Flemish and Walloons, Spain's Catalans, the U.K.'s Scots and Welsh, and Canada's Quebecois have sought (and gained) a measure of socio-political autonomy vis-à-vis their respective states without violence, though not without hard feeling. France's Occitans agitate for minority status, mostly by reviving their language and re-imaging the late-medieval ascetic Cathars as freedom-fighters against Parisian "crusader" aggression.

Here, group identity seems as I had previously described it: as a cultural localism, made possible precisely because true economic localism is not up for discussion. The economic integration of Europe, for example, makes the state less relevant as the chief unit of economic activity.³⁰ Identities can thus shift more freely. There seems little point in continuing to organize governance along the line that used to divide, say, the Spanish Netherlands (Belgium) from the Free Provinces (Netherlands)—a Catholic south versus a (mostly) Protestant north—when religion has lost much of its salience to both camps. The Dutch/French language division affects life more directly, and the EU makes the choice of political dividing lines less weighty. To the degree that activists can convince people that a change costs nothing while rectifying perceived inequities, then soft ethnic nationalism can rule.

Conflicts in the global system's semi-peripheral and peripheral regions have been more deadly. The former Yugoslavia imploded in part because of its semi-peripheral economic status, and in part because of real developmental differences between its constituent provinces. As the Titoist state collapsed, agitators framed the economic crisis as a matter of ethnic

²⁹ In the following, I use Wallerstein's (2004) division of the world into "core", "semi-periphery", and "periphery", without taking on the rigidities of his total argument. See also Chirot (1977).

³⁰ Goddard *et al.* (1994).

liberation, hoping thereby to capture whatever state power remained.³¹ Slobodan Milosevic and Franjo Tudjman both succeeded with this plan, at least for a time, at the cost of two Serb-Croat wars. People found themselves forced to identify with their purported ethnic group rather than with their ideals, their families, their occupations, or any of the other dimensions that they had previously enjoyed.³² Tekle Woldemikael has pointed out that war is one means by which ethnicity is made salient, and the memories of war fuel continued inter-group conflict.³³ This was certainly the case in the former Yugoslavia, where self-identified "Yugoslavs" were systematically pushed to ally themselves with one or another of the exclusive "nationalities" into which the country collapsed.³⁴

It is hard to equate this conflict with the cultural localism noted above. Instead, semi-peripheral ethnic nationalism pursues the 19th century European dream of one 'people', one state.³⁵ Core countries defined themselves ethnically, so why should not those seeking to join the core do so as well? The fact that core countries can now indulge ethnic localism may lead poorer peoples to imitate what they think is the path to development. The self-determination of ethnic states—the logical outcome of "group rights"—seems to outsiders to be a path to success. The reality is a good deal more brutal. As Michael Ignatieff writes,

Nationalism ... is a language of fantasy and escape. In many cases—Serbia is a flagrant example—nationalist politics is a full-scale, collective escape from the realities of social backwardness. Instead of facing up to the reality of being a poor, primitive, third-rate economy on the periphery of Europe, it is infinitely more attractive to listen to speeches about the heroic and tragic Serbian destiny and to fantasize about the final defeat of her historic enemies.³⁶

³¹ Silber and Little (1994).

³² Ignatieff (1993:25).

³³ Woldemikael (1993, 2005).

³⁴ Sekulic *et al.* (1994). See also Spickard (2010).

³⁵ Llobera (1994).

³⁶ Ignatieff (1993:245).

In such a context, "group rights" are dangerous—both to those against whom the rights are claimed and to those who think the claims will bring them a better life. Only the demagogues profit.

If the dream of ethnic nationhood is dangerous in the world's semi-periphery, it is doubly so in peripheral locales. In Rwanda, Afghanistan, post-invasion Iraq, Somalia, and other failed states, opportunistic struggle draws on ethnicity as an operating metaphor. In Rwanda, for example, Belgian colonialists transformed a native class division into an ethnic one, creating "Tutsi" and "Hutu" as primary identity categories.³⁷ Post-independence politics accentuated these lines, producing first a civil war and then genocide.³⁸ The fact that the killers targeted moderate Hutus as well as Tutsis belies the supposed ethnic nature of the conflict, but there is no doubt that ethnicity now provides the intellectual frame for events. As Ignatieff wisely writes after his investigation of Croat-Serb conflicts, "So often, it seemed to me, the violence happened first, and the nationalist excuses came afterwards."³⁹

Why this shift in framework? What does the growing salience of ethnicity on the world stage tell us about global culture?

A key, I think, is the decline of the state, especially at the margins of the global economic system, and the growing importance there of sub-state identity to people's survival. Even core states have increasingly lost power to transnational economic concerns, both private and public. WTO, NAFTA, CAFTA, EU, IMF, and the World Bank, alongside Nestle, Shell, Exxon, Pfizer, OPEC, and Walmart, now contend with all but the strongest states as equal players. What leverage can far weaker peripheral states have? If an increasingly globalized economy makes cultural localism possible in core societies, shifting power there from the state to both local and

³⁷ Fenton (1996); Prunier (1995).

³⁸ Gourevitch (1998).

³⁹ Ignatieff (1993:244).

international entities, then state decline at the periphery and semi-periphery forces people to turn to groups for protection.

Arjun Appadurai argues that globalization produces what he calls "constructed primordialisms". Contemporary ethnic identities are not holdovers from the past. Rwandan Hutu and Tutsi, Iraqi Shiite and Sunni, Serbs, Croats, Bosniacs, and so on are not reinvigorating long-established struggles. Instead, they are fighting to create protective communities that can carry them into the future. As he puts it, "the violence that surrounds identity politics around the world today reflects the anxieties attendant on the search for non-territorial principles of solidarity".⁴⁰ If the declining significance of the state in the global core makes ethnic localism possible, state collapse makes imagined ethnic solidarity crucial for survival on the periphery.

The Role of Religion

What do religion and human rights have to do with this picture—or this picture with them? Beyond the quasi-religious aspects of human rights ideologies⁴¹ and some people's quasi-religious devotion to ethnic nationalism, I think it points to a neglected aspect of world culture.

First, religion. It is not news that self-styled "conservative" religious movements have gained strength in the last 30 years, nor is it news that these are by no means all technically "fundamentalistic". They all, however, lie toward the sectarian end of the religious spectrum. That is, they all see themselves as possessed of truth, and they see others as benighted, if not downright evil. The degree varies, of course. The Iranian Mullahs, the Taliban, and the partisans of the Israeli Kach Party sit on the extreme end of the spectrum, as all have used (or have sought to use) state power to purify their respective territories. The "conservative" Christians about whom Philip Jenkins writes have, by and large, not held state power, and their

⁴⁰ Appadurai (1996:165).

⁴¹ Ignatieff (2001).

movements have also been diverse enough to require considerable cross-boundary accommodation.⁴² But they are sectarians, nonetheless.

Is religious "conservatism" a backlash against globalization?⁴³ If by backlash we mean a wish for religious certainty on the part of people uncomfortable with the open-ended freedoms of late-modern life, I think the answer is "no". Despite various claims that most religious people favor the certainty of the so-called "good old ways",⁴⁴ it strikes me that ideological certainty is not such movements' chief appeal. Social certainty seems much more likely to be at stake, here. In a world whose economic order has, in the words of two classic critics,

pitilessly torn asunder the motley ... ties that bound ... man and man, ...has resolved personal worth into exchange value, and in place of the numberless infeasible chartered freedoms, has set up that single, unconscionable freedom—Free Trade,⁴⁵

the preservation of human solidarity seems a worthwhile undertaking. To the degree that globalization weakens states in the international system, and to the degree that people find themselves under threat because of that weakness—as they especially do in semi-peripheral and peripheral regions—it makes sense for them to turn to ideologies that draw firm boundaries between "Us" and "Them". Religious sectarianism is akin to ethnic nationalism in its promise of secure group membership for the chosen. It is also like such nationalism in its claim that people outside its own group do not matter.

If my previous analysis of the cultural logic of third-generation human rights is at all valid, globalization should favor the growth of multiple religions in the core regions of the world economic system. There, economic integration has progressed far enough to allow multiple localisms. These provide their adherents with a sense of identity without threatening either of

⁴² Jenkins (2002).

⁴³ See, *inter alia*: Lechner (1993); Tijssen *et al.* (1995)

⁴⁴ Finke and Stark (1992); Stark and Finke (2000).

⁴⁵ Marx and Engels (1967:44).

the social pillars of the global order: individual differentiation and globe-spanning socio-economic networks.

The situation in peripheral and semi-peripheral regions is somewhat different, both for religions and for group-rights claims. There, declining state power exposes people to threats against which they construct religious and/or ethnic primordialisms. These do not solve their problems; indeed, they leave people open to demagoguery. But such communalisms bring hope and common purpose in a world that seems to be organized for other people's benefit. Basing their call on "group rights" strikes me as a way to get gore elites to support peripheral localisms.

On both a social and a cultural level, religious 'fundamentalism' and ethnic nationalism may well have more in common than we suspect. It seems to me that the movement to institute third-generation human rights is a cultural expression of the same trend.

What Is To Be Done?

What conclusions can we draw from all this for the advancement of human rights? Scholars may observe, but activists must act—and need to do so on the basis of good analysis. If I am at all right in my diagnoses of these contemporary cultural trends, what is now do be done?

First, we have to separate the global core from the semi-periphery and periphery; the situation is different in these two regions. Core regions maintain strong states and well-integrated economies. Though sectarian groups are present, they are not dominant social or political players. My original analysis of third-generation rights seems applicable here. States can allow a certain amount of regional and local autonomy, without undercutting their ability to guarantee first- and second-generation rights. Activists must still hold states to enforcing those rights, but this is no change from previous years.

States are much weaker, however, in the semi-periphery and especially in the periphery. Here, state power is less relevant. Indeed, states may not constitute the greatest danger to

human dignity; global economic forces may do more damage, and sub-state conflicts—civil wars and ethnic strife—may take a greater toll. Here, sectarianism can be dangerous, and prevent states from protecting their citizens. In this situation, encouraging third-generation "group rights" may fuel rights-violations rather than quell them.

On these grounds, I think that traditional human rights activism needs some rethinking. Yes, activists must continue to pressure states not to harm their citizens. But what principles can activists apply, when state action is not the greatest source of danger?

That, I am afraid, is a topic for a future discussion.

REFERENCES

- Antoun, Richard T. 2001. Understanding Fundamentalism: Christian, Islamic, and Jewish Movements. Walnut Creek, CA: Altamira Press.
- Appadurai, Arjun. 1996. Modernity at Large: Cultural Dimensions of Globalization. Minneapolis: University of Minnesota Press.
- Baker, Judith, ed. 1994. Group Rights. Toronto: University of Toronto Press.
- Beckford, James A. 1989. Religion and Advanced Industrial Society. London: Unwin Hyman.
- Bellah, Robert N. 1967. "Civil Religion in America." Daedalus 96: 1-21.
- Bonacich, Edna and Richard Appelbaum. 2000. Behind the Label: Inequality in the Los Angeles Apparel Industry. Berkeley: University of California Press.
- Boyle, Alan. 1999. "Some Reflections on the Relationship of Treaties and Soft Law." International and Comparative Law Quarterly 48(4): 901-913.
- Carneville, Anthony and Stephen Rose. 1998. Education for What? The New Office Economy. Princeton: Educational Testing Service.
- Chiot, Daniel. 1977. Social Change in the Twentieth Century. New York: Harcourt, Brace.
- Cohen, Norman J., ed. 1990. The Fundamentalist Phenomenon: A View from Within; a Response from Without. Grand Rapids, MI: William B. Eerdmans Publishing Company.
- De Bary, Wm. Theodore. 1998. Asian Values and Human Rights: A Confucian Communitarian Perspective. Cambridge, MA: Harvard University Press.
- Durkheim, Émile. [1893]. The Division of Labor in Society. Translated by G. Simpson. New York: Free Press, 1964.
- . [1915]. The Elementary Forms of the Religious Life. Translated by J. W. Swain. New York: Free Press, 1965.
- Fenton, James. 1996. "A Short History of Anti-Semitism." New York Review of Books, February 15, pp. 7-9.
- Finke, Roger and Rodney Stark. 1992. The Churching of America, 1776-1990: Winners and Losers in Our Religious Economy. New Brunswick, NJ: Rutgers University Press.
- Friedman, Thomas L. 2006. The World Is Flat: A Brief History of the Twenty-First Century, expanded and updated edition. New York: Farrar, Strauss, and Giroux.
- Giddens, Anthony. 1991. Modernity and Self-Identity: Self and Society in the Late Modern Age. Stanford, CA: Stanford University Press.
- Goddard, Victoria A., Josep R. Llobera, and Cris Shore, eds. 1994. The Anthropology of Europe: Identities and Boundaries in Conflict. Oxford: Berg Publications, Ltd.
- Gourevitch, Philip. 1998. We Wish to Inform You That Tomorrow We Will Be Killed with Our Families: Stories from Rwanda. New York: Farrar, Strauss, and Giroux.
- Gray, Lorraine. 1986. The Global Assembly Line. PBS/New Day Films.
- Hecker, Daniel. 2005. "Occupational Projections to 2014." In U.S. Bureau of Labor Statistics. Monthly Labor Review, November (<http://www.bls.gov/opub/mlr/2005/11/art5abs.htm>).

- Hervieu-Léger, Danièle. 2000. Religion as a Chain of Memory. Translated by S. Lee. New Brunswick, NJ: Rutgers University Press.
- Hillgenberg, Hartmut. 1999. "A Fresh Look at Soft Law." European Journal of International Law 10(3): 499-515
- Hunt, Lynn. 2008. Inventing Human Rights: A History. New York: W.W. Norton & Company.
- Ignatieff, Michael. 1993. Blood and Belonging: Journeys Into the New Nationalism. New York: Farrar, Strauss, and Giroux.
- . 2001. "Human Rights as Idolatry." Pp. 53-96 in Human Rights as Politics and Idolatry, edited by A. Gutman. Princeton: Princeton University Press.
- Ishay, Micheline R. 2008. The History of Human Rights: From Ancient Times to the Globalization Era, 2d ed. Berkeley: University of California Press.
- Jenkins, Philip. 2002. The Next Christendom: The Coming of Global Christianity. Oxford: Oxford University Press.
- Laqueur, Walter and Barry Rubin, eds. 1979. The Human Rights Reader. Philadelphia: Temple University Press.
- Leach, Edmund. 1969. Genesis as Myth and Other Essays. London: Jonathan Cape.
- Lechner, Frank J. 1993. "Global Fundamentalism." Pp. 19-36 in A Future for Religion? New Paradigms for Social Analysis, edited by W. H. Swatos, Jr. Newbury Park, CA: Sage Publications.
- Leeson, Nick and Edward Whitley. 1996. Rogue Trader: How I Brought Down Barings Bank and Shook the Financial World. New York: Little, Brown, & Company.
- Llobera, Josep R. 1994. The God of Modernity: The Development of Nationalism in Western Europe. Oxford: Berg Publications, Ltd.
- Luckmann, Thomas. 1967. The Invisible Religion: The Problem of Religion in Modern Society. New York: Macmillan and Co., Ltd.
- Marty, Martin E. and R. Scott Appleby, eds. 1991. Fundamentalisms Observed. Chicago: University of Chicago Press.
- Marx, Karl and Frederick Engels. [1848]. Manifesto of the Communist Party. Translated by S. Moore. Moscow: Progress Publishers, 1967.
- Prunier, Gerald. 1995. The Rwanda Crisis: History of a Genocide. New York: Columbia University Press.
- Rivoli, Pietra. 2009. The Travels of a T-Shirt in the Global Economy: An Economist Examines the Markets, Power, and Politics of World Trade, 2d ed. New York: Wiley and Sons.
- Robertson, Roland. 1992. Globalization: Social Theory and Global Culture. London: Sage Publications.
- Roof, Wade Clark. 1993. A Generation of Seekers: The Spiritual Journeys of the Baby Boom Generation. San Francisco: Harper.
- Rubin, Beth. 1995. Shifts in the Social Contract: Understanding Change in American Society. Thousand Oaks, CA: Pine Forge Press.

- Sekulic, Dusko, Garth Massey, and Randy Hodson. 1994. "Who Were the Yugoslavs? Failed Sources of a Common Identity in the Former Yugoslavia." American Sociological Review 59(1, Feb):83-97.
- Sennett, Richard. 2000. The Corrosion of Character: The Personal Consequences of Work in the New Capitalism. New York: W.W. Norton & Company.
- . 2007. The Culture of the New Capitalism. New Haven, Conn.: Yale University Press.
- Silber, Laura and Allan Little. 1994. The Death of Yugoslavia. London: Penguin Books, Ltd.
- Snyder, Rachel Louise. 2009. Fugitive Denim: A Moving Story of People and Pants in the Borderless World of Global Trade. New York: Oxford University Press.
- Spickard, James V. 1998. "Human Rights as World Religion: Reflections on the Ideologies of a Globalized Multicultural World," trans. N.B. Todorova. Philosophical Alternatives [Bulgaria] 7(2):62-70.
- . 1999a. "Human Rights, Religious Conflict, and Globalisation: Ultimate Values in a New World Order." International Journal on Multicultural Societies 1(1):2-19.
- . 1999b. "The Origins of the Universal Declaration of Human Rights," Department of Sociology and Anthropology, University of Redlands, Redlands, California. <http://newton.uor.edu/FacultyFolder/Spickard/OnlinePubs/OriginUDHR.pdf>.
- . 2002. "Human Rights through a Religious Lens: A Programmatic Argument." Social Compass 49(2):227-38.
- . 2007. "Religion in Global Culture: New Directions in an Increasingly Self-conscious World." Pp. 235-250 in Globalization, Religion and Culture, edited by Peter Beyer and Lori Beaman. Leiden: Brill.
- . 2010. "Understanding Medjugorje: A Khaldûnian Approach to a Marian Apparition." Khaldûnian Studies. 1/1.
- Stark, Rodney and Roger Finke. 2000. Acts of Faith: Explaining the Human Side of Religion. Berkeley: University of California Press.
- Symonides, Janusz. 1998. "Cultural Rights: A Neglected Category of Human Rights." International Social Science Journal 50 (Dec 01):559.
- Taylor, Charles. 1993. Reconciling the Solitudes: Essays on Canadian Federalism and Nationalism. Montréal: McGill-Queen's University Press.
- Tijssen, Lieteke Van Vucht, Jan Berting, and Frank J. Lechner, eds. 1995. The Search for Fundamentals: The Process of Modernisation and the Quest for Meaning. Kluwer Academic Publishers.
- Vasak, Karel. 1977. "Human Rights: A Thirty-Year Struggle: the Sustained Efforts to give Force of law to the Universal Declaration of Human Rights." UNESCO Courier 30(11): 29.
- Wallerstein, Immanuel. 2004. World-Systems Analysis: An Introduction. Durham, NC: Duke University Press.
- Woldemikael, Tekle Mariam. 1993. "The Cultural Construction of Eritrean Nationalist Movements." Pp. 179-98 in The Rising Tide of Cultural Pluralism: The Nation-State at Bay? edited by C. Young. Madison: University of Wisconsin Press.

Spickard: "Religion, Human Rights, and Global Culture"

———. 2005. "Eritrea's Identity as a Cultural Crossroads." Pp. 337-54 in Race and Nation: Ethnic Systems in the Modern World, edited by P. R. Spickard. New York: Routledge.